

REMARKS

Claims 1-38 are pending in the present application. By this amendment, claims 3 and 22 are amended, and claim 38 is added. Applicants respectfully request reconsideration of the present claims in view of the foregoing amendments and the following remarks.

I. Double Patenting Rejection

Claims 1-37 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-16 of copending Patent Application Serial No. 10/008,888. The Office Action notes that a timely filed terminal disclaimer in compliance with 37 C.F.R. 1.321(c) may be used to overcome a provisional rejection based on a nonstatutory double patenting ground provided the conflicting application is shown to be commonly owned with this application. Accordingly, a terminal disclaimer was included with the Amendment and Response filed on January 29, 2004 for copending Patent Application Serial No. 10/008,888 disclaiming the terminal part of the statutory term of any patent granted on Patent Application Serial No. 10/008,888 which would extend beyond the expiration date of the full statutory term of any patent granted on U.S. Patent Application Serial No. 10/008,511. Therefore, withdrawal of this rejection is respectfully requested.

II. Formal Matters

Claim Objections

Claims 3 and 22 are objected to because of the following informality noted by the Examiner: the acronym MAC must be spelled out at least once in the claims. Accordingly, claim 3 has been amended to include the words for which the acronym MAC stands.

III. Prior Art Rejections

Claim Rejections Under 35 U.S.C. §102(e)

Claims 1-9, 19-27, and 37 are rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent No. 6,188,752 to Lesley (hereinafter "Lesley"). This rejection is respectfully traversed.

Claim 1 recites that a method for purchasing prepaid communications credit comprises receiving a code, wherein the code corresponds to a predefined payment amount for prepaid credit, and crediting an account associated with the origination number with the predefined payment amount for prepaid credit.

Lesley does not teach or suggest a method for purchasing prepaid communications credit as recited in claim 1. On the contrary, Lesley teaches a method for allowing a subscriber to increase pre-pay value to his account by dialing from a subscriber terminal a prepay network service number; entering a security code such as a PIN for authentication; and if the PIN entered matches the PIN stored in the subscriber database record, entering a dollar value to be added to the subscriber's prepaid calling account. This is not analogous to the method recited in claims 1 because Lesley fails to teach or suggest receiving a code which corresponds to a predefined payment amount for prepaid credit and crediting an account with the predefined amount. Instead, Lesley teaches that the subscriber is prompted to enter a dollar value to be added to the prepaid calling account, instead of a code corresponding to a predefined payment amount, and once the subscriber enters the dollar value, the subscriber record is updated to reflect the increase in the subscriber's prepaid account balance.

For at least the reasons given above, claim 1 is allowable over Lesley. Since claims 2-9 and 19 depend from claim 1 and recite additional features, Applicants respectfully submit that Lesley does not anticipate Applicants' claimed invention as embodied in claims 2-9 and 19 for at least these reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 20 recites that a system for prepaid communications comprises a computer readable medium comprising a second set of instructions for receiving a code, wherein the code corresponds to a predefined payment amount for prepaid credit; and a third set of instructions for crediting an account associated with the origination number with the predefined payment amount for prepaid credit.

Lesley does not teach or suggest a system for prepaid communications as recited in claim 20. Instead, Lesley teaches a communications system for providing a prepayment telecommunications service including a service control processor for detecting a subscriber account number associated with the subscriber terminal and for sending a message to a service switch point to prompt the subscriber terminal for entry of a security code such as a PIN for authentication. Once the subscriber enters a PIN, a service control point checks the entered PIN to determine if it matches the PIN stored in the subscriber database record, and if so, then the service control point prompts the subscriber telecommunication device for a monetary value to be added to the subscriber's prepaid account. The subscriber enters a dollar amount, and the service control point updates the subscriber record to reflect the amount added to the subscriber's prepaid account. This is not analogous to the system for prepaid communications recited in claim 20 because Lesley fails to teach or suggest that the service control point prompts the subscriber to enter a code which corresponds to a predefined payment amount for prepaid credit and credits an account with the predefined payment amount for prepaid credit. Instead, Lesley teaches that the service control point prompts the subscriber to enter a monetary value to be added to the subscriber's prepaid account instead of a code corresponding to a predefined payment amount.

For at least the reasons given above, claim 20 is allowable over Lesley. Since claims 21-27 and 37 depend from claim 20 and recite additional features, Applicants respectfully submit that Lesley does not anticipate Applicants' claimed invention as embodied in claims 21-27 and 37 for at least these reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claim Rejections Under 35 U.S.C. §103(a) Over Lesley in View of Jones

Claims 10-12 and 28-30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lesley in view of United States Patent No. 6,195,422 to Jones et al. (hereinafter "Jones"). This rejection is respectfully traversed.

For at least the reasons given above, claims 1 and 20 are allowable over Lesley. Since claims 10-12 and claims 28-30 depend from claims 1 and 20, respectively, and recite additional features, Applicants respectfully submit that the combined teaching of

Lesley and Jones do not make obvious Applicants' claimed invention as embodied in claims 10-12 and 28-30. Accordingly, withdrawal of these rejections is respectfully requested.

Claim Rejections Under 35 U.S.C. §103(a) Over Lesley in View of Dowens

Claims 13-14 and 31-32 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lesley in view of United States Patent No. 6,122,354 to Dowens (hereinafter "Dowens"). This rejection is respectfully traversed.

For at least the reasons given above, claims 1 and 20 are allowable over Lesley. Since claims 13-14 and 31-32 depend from claims 1 and 20, respectively, and recite additional features, Applicants respectfully submit that the combined teaching of Lesley and Dowens do not make obvious Applicants' claimed invention as embodied in claims 13-14 and 31-32. Accordingly, withdrawal of these rejections is respectfully requested.

Claim Rejections Under 35 U.S.C. §103(a) Over Lesley in View of Lorsch

Claims 15-18 and 33-36 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lesley in view of United States Patent No. 5,903,633 to Lorsch (hereinafter "Lorsch"). This rejection is respectfully traversed.

For at least the reasons given above, claims 1 and 20 are allowable over Lesley. Since claims 15-18 and 33-36 depend from claims 1 and 20, respectively, and recite additional features, Applicants respectfully submit that the combined teaching of Lesley and Lorsch do not make obvious Applicants' claimed invention as embodied in claims 15-18 and 33-36. Accordingly, withdrawal of these rejections is respectfully requested.

IV. New Claim 38

New claim 38 is directed to further embodiments of Applicants' claimed invention. New claim 38 depends from claim 1 and is directed to referencing a table of codes to determine the predefined payment amount for prepaid credit corresponding to the received code. Support for new claim 38 can be found at page 11, lines 28-32 of the specification.

Applicants respectfully submit that new claim 38 is patentable over the art of record for at least the reasons given above in regard to claim 1.

CONCLUSION

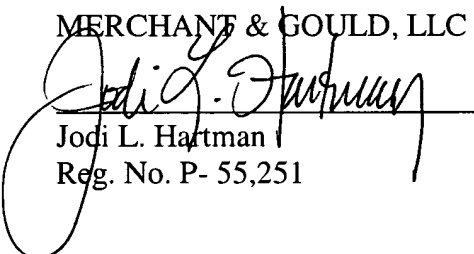
For at least these reasons, Applicants assert that the pending claims 1-38 are in condition for allowance. Applicants further assert that this response addresses each and every point of the Office Action, and respectfully request that the Examiner pass this application with claims 1-38 to allowance. Should the Examiner have any questions, please contact Applicant's undersigned attorney at 404.954.5042.

Respectfully submitted,

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